## STATE OF ALASKA

## DEPARTMENT OF COMMERCE COMMUNITY AND ECONOMIC DEVELOPMENT REGULATORY COMMISSION OF ALASKA

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JUN 1 7 2005

June 10, 2005

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Marlene H. Dortch Office of the Secretary Federal Communications Commission 445 12th Street S.W. Washington, D.C. 20554

Irene Flannery
Vice President - High Cost and Low Income Division
Universal Service Administrative Company
2120 L Street, NW – Suite 600
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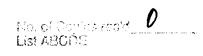
Re: CC Docket No. 96-45

State Certification of USF Funds in Rural Areas

Dear Mses. Dortch and Flannery:

This letter is submitted pursuant to 47 CFR § 54.314(a), which requires state certification of the use of federal universal service funds as a prerequisite for continued receipt of funding by rural carriers. The Regulatory Commission of Alaska (RCA) governs local services and rates in Alaska and is the appropriate authority to issue the certification required under Section 54.314(a).

We designated Adak Eagle Enterprises, LLC d/b/a Adak Telephone Utility (AEE) as an eligible telecommunications carrier (ETC) on May 25, 2005. In designating AEE as an ETC for purposes of USF support, we required the carrier to use such funding to provide rate relief and for facilities improvements. We certify that to the best of our knowledge and efforts, all federal high cost support that may be received by AEE in 2005 will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Communications Act. We will





evaluate whether we should certify AEE's appropriate use of 2006 funds when we evaluate all other regulated Alaska ETCs' compliance with Section 254(e).1

Section 54.314(d)(4) of the Commission's rules provides that carriers for which certifications are received on or before July 1 will receive support in the fourth quarter of that year but shall not receive funding for the first 3 quarters of the year.<sup>2</sup> AEE has petitioned the Commission for waiver of certification filing deadlines under 47 CFR § 54.314(d) so it might receive USF funding from January 1, 2005. We respectfully request the Commission consider AEE's petition and grant support as soon as possible for whatever period is appropriate.

Sincerely,

REGULATORY COMMISSION OF ALASKA

Kate G**j**ard Chairman

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<sup>&</sup>lt;sup>1</sup> Our certification does not preclude us from reviewing in further detail how AEE has employed its federal universal service funds and ordering that use of funds comply with directives or policies we may set. Our certification is based on best data available as of May, 2005. Our decision does not bind us in future or pending cases and we reserve the right to conclude that a company should employ its universal service funding differently than it does today or in the future in light of better data or a more detailed review.

<sup>&</sup>lt;sup>2</sup> Support pursuant to Sec. 54.301, 54.305, and or 54.



## The FCC Acknowledges Receipt of Comments From ... Regulatory Commission of Alaska ...and Thank You for Your Comments

Your Confirmation Number is: '2005610528699'

**Date Received:** 

Jun 10 2005

Docket:

96-45

Number of Files Transmitted: 1

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